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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213527
Party	Defendant Greater Omaha Packing Co., Inc.
Correspondence Address	I STEPHEN SAMUELS SAMUELS & HIEBERT LLC TWO INTERNATIONAL PL, 23RD FL BOSTON, MA 02110 UNITED STATES ISS@SamuelsTM.com
Submission	Testimony For Defendant
Filer's Name	I. Stephen Samuels
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Signature	s/I. Stephen Samuels/s
Date	04/19/2016
Attachments	Defendant's Terri Peetz Deposition.pdf(1202723 bytes) Peetz Exhibit GOP-110 pages 1-8.pdf(771815 bytes) Peetz Exhibit GOP-110 pages 9-12.pdf(1110848 bytes) Peetz Exhibit GOP-110 pages 13-16.pdf(1120960 bytes) Peetz Exhibit GOP-110 pages 17-24.pdf(2591078 bytes)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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         BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD
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     Omaha Steaks
     International, Inc.,
3
                               )
                                     Opposition No.
                                    91213527 (Parent)
                               )
                Plaintiff,
4
                               )
                                    Cancellation No.
5
                v.
                                        92059629
6
     Greater Omaha Packing
                                    Cancellation No.
                                       92059455
     Co., Inc.,
7
                Defendant.
                                   TAKEN ON BEHALF OF
                               )
8
                                       DEFENDANT
9
     APPEARANCES:
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                                  For Plaintiff
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     Mr. Mark Theisen
18
     General Counsel
     GREATER OMAHA PACKING CO
     3001 L Street
19
     P.O. Box 7566
     Omaha, NE 68107
20
21
                DEPOSITION OF TERRI PEETZ, taken at
22
     12:58 p.m. on March 18, 2016, by Deanna L. Maley,
23
     RPR, CRR, and General Notary Public in and for
24
     the State of Nebraska, at 3001 L Street, Omaha,
25
     Nebraska.
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1		E X H I	BIT INDEX
2			
3	Ex.	Pg. Ref. No.	Description
4	GOP-101	10	Prism Steno Book
5	GOP-102		Omaha Tower Cafe
6	001 102	13	Information
7	GOP-103	16	Omaha Oriental Food & Gifts Information
8	GOP-104	18	Omaha Popcorn Information
9	GOP-105	20	Omaha Tap House
10	GOP-103	20	Information
11	GOP-106	21	Omaha Wine Company Information
12	GOP-107	23	OmahaFastFoods.com
13	001 107	2.0	Information
14	GOP-108	2 4	Omaha Prime Information
15	GOP-109	2 6	Omaha picnic Pros Information
16	GOP-110	27	Omaha Culinary Tours
17	001 110	_ ,	Information
18			
19			
20			
21			
22			
23			
24		(Exhib	its retained by counsel for
25	the defer	ndant.)	

TERRI PEETZ

Of lawful age, being first duly cautioned and solemnly sworn as hereinafter certified, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. SAMUELS:

- Q. For the record, Ms. Peetz, would you please state your full name.
 - A. Terri Peetz.

MS. KANE: And I would like to get an objection to this witness prior to her testimony on several bases. The first one being, she was not disclosed either in the initial disclosures or during discovery in this case until the pretrial disclosures were served upon me on February 1st, 2015, which is contrary to TTAB precedent.

Second, it appears from the description of her testimony in the pretrial disclosures that she is going to testify about her investigation to find companies in food or food-related businesses which were located in or near Omaha, Nebraska, the names of which began with or prominently featured the word "Omaha," her investigation of such companies, her visiting

those companies in person, her being a customer at their places of business and purchasing the goods and/or services which they sold, and her obtaining of evidence of how such companies use their company names and/or trademarks during her visits and her keeping records of what took place during her visits. This constitutes ex parte discovery. Under the discovery rules there are only limited means by which we can obtain discovery from nonparty witnesses. And it is implicit in the rules that it is not done on an ex parte basis, that I should have been allowed to participate. Any evidence that the witness is going to testify to do -- testify to constituting the foregoing matters will constitute inadmissible hearsay.

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Finally, according to the pretrial disclosure, Ms. Peetz is a paralegal employed by Suiter Swantz, a law firm here in Omaha,
Nebraska, which we know from both records with the trademark office and from Mr. Fili's testimony the other day, is a law firm employed by Greater Omaha Packing with regard to trademark matters. And, therefore, further objection to her testimony would be that it is contrary to the

witness advocate rule. And to the extent that any of this testimony borders upon or constitutes expert testimony, that too should be excluded because the witness, while undoubtedly a fine paralegal, is probably not qualified to offer expert testimony, nor was she disclosed as such. Had she been, we would expect to see a report and all the other items that go along with -- the necessary information that's disclosed along with an expert.

That constitutes my objection to the witness and the testimony today. While I may interject a hearsay objection again later in the testimony, I would like that objection to be known to precede the witness' answer and to follow any of counsel's questions. I don't want to make the deposition 800 pages long by repeating that objection every time. I will perhaps once or twice remind the Board that I've not waived that objection. And any failure to object to a question should not be constituted as a waiver of such, but it should be implicit that my objection is implied after each question, before each answer. Thank you.

MR. SAMUELS: Thank you, Ms. Kane.

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Your objection is noted. We disagree with
1
     everything that you just said and we will, at the
2
     appropriate time, explain all of the reasons why
3
     we think that everything that you just said is
 4
     incorrect. And we understand that your
 5
     objections are continuing objections, and there's
 6
 7
     no need for you to remake them. Although if you
      feel that you wish to remake them, you can do so.
8
 9
     But for the record, we'll consider them to be
10
     continuing.
11
                    MS. KANE: I appreciate that.
12
     BY MR. SAMUELS:
13
            Ο.
                  Ms. Peetz, we are now going to
14
      continue with the questioning in this deposition.
15
           Ms. Peetz, on what date were you born?
16
            Α.
                  April 8th, 1981.
17
            0.
                  How old are you now?
18
            Α.
                  I am 34 years old.
19
                  Did you attend high school?
            Q.
20
                  I did.
            Α.
21
                  In what city did you go to high
22
      school?
23
                  Tabor, Iowa.
            Α.
24
                  What was the name of your high
25
      school?
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1	А.	Fremont-Mills High School.		
2	Q.	Did you graduate from Fremont-Mills		
3	High School	?		
4	А.	Yes, I did.		
5	Q.	In what year did you graduate from		
6	high school	?		
7	Α.	I graduated in 1999.		
8	Q.	Have you attended any colleges or		
9	universities?			
10	Α.	Yes, I have.		
11	Q.	Please describe those institutions.		
12	Α.	I attended the University of Nebraska		
13	at Omaha.			
14	Q.	Did you graduate from the University		
15	of Nebraska	?		
16	Α.	Yes, I did.		
17	Q.	In what year?		
18	Α.	In 2003.		
19	Q.	What degree did you receive from the		
20	University	of Nebraska?		
21	A.	I received a bachelor of science in		
22	criminal ju	stice summa cum laude.		
23	Q.	Have you attended any additional		
24	colleges or	universities?		
25	Α.	Yes, I have.		

1	
1	Q. Please describe those institutions.
2	A. I attended Metropolitan Community
3	College here in Omaha.
4	Q. Did you graduate from the program at
5	Metropolitan Community College?
6	A. Yes, I did.
7	Q. In what year?
8	A. 2007.
9	Q. What degree did you receive from the
10	Metropolitan Community College?
11	A. I received a post baccalaureate
12	certificate in legal assisting.
13	Q. What is the name of your current
14	employer?
15	A. Suiter Swantz PC LLO.
16	Q. Is that a law firm in Omaha,
17	Nebraska?
18	A. Yes, it is.
19	Q. What is your position at Suiter
20	Swantz?
21	A. I am the firm's primary trademark
22	paralegal.
23	Q. Over what period of time have you
24	been employed at Suiter Swantz?
25	A. Slightly over five years.

In 2014 did I contact you to Q. 1 undertake a project on behalf of Greater Omaha 2 3 Packing Company, the defendant in this trademark proceeding? 4 Yes, you did. 5 Α. How did I describe that project to 6 Q. 7 you? 8 Α. You wanted me to gather evidence that there were several commercial entities in Omaha 9 that were using the name "Omaha" in relation to 10 their food businesses. 11 12 Q. What did I ask you to do? 13 You asked me to identify entities in Α. 14 Omaha, to visit those entities, to take 15 photographs and gather other materials showing how they were using the name "Omaha." 16 17 Did you do that? Ο. 18 Α. Yes, I did. 19 Did I ask you to keep a careful 20 record of what you were doing? Yes. You asked me to obtain a 21 Α.

notebook and make careful handwritten and dated

And did you do that?

notes of everything that I did.

Yes, I did.

Q.

Α.

22

23

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Ms. Peetz, I now show you a 10-page 1 document entitled Prism steno notebook -- I'm 2 3 sorry, Prism steno book which is marked Exhibit GOP-101. This exhibit bears Bates 4 5 numbers GOP-0541 to 0550. Are you familiar with 6 this exhibit? 7 Α. Yes, I am. 8 I am also showing you an actual Prism 9 steno book. Please examine both Exhibit GOP-101 10 and the actual Prism steno book. Is the 10-page Exhibit GOP-101 an exact copy of the cover and 11 12 first nine pages of the actual Prism steno book? 13 Α. It is an exact copy. 14 Ο. What is Exhibit GOP-101? 15 Exhibit GOP-101 is my handwritten and 16 dated steno book that I used in completing the 17 project you gave to me. 18 Did you personally hand write and 19 date everything which is in Exhibit GOP-101? 20 Α. Yes, I did. 21 Q. How can you tell that? 22 Α. I recognize my handwriting. 23 Is there a date at the top of each of 24 the nine pages in Exhibit GOP-101?

Yes, there is.

25

Α.

- What is the range of dates at the top 1 Q. 2 of each of those nine pages? They range from October 3rd, 2014, to 3 October 23rd, 2014. 4 5 Is everything that you personally wrote in Exhibit GOP-101 absolutely true? 6 7 Yes, it is absolutely true. Α. 8 Did everything that you wrote about 9 in Exhibit GOP-101 take place on the dates that 10 you wrote at the tops of the pages in Exhibit GOP-101? 11 12 Α. Yes. 13 Would you please explain the 14 procedures -- procedure which you followed from the beginning of the project to the end of the 15 16 project? 17 MS. KANE: And I will just say --18 restate an objection about hearsay, the classic definition has just been testified to, i.e., an 19 out-of-court statement offered for the truth of 20 the matter asserted. 21 22
 - MR. SAMUELS: The witness is testifying about what she said, not about what somebody else said, so that's how I would begin to answer your objection on that.

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BY MR. SAMUELS:

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- Q. But please go ahead and respond to the -- my question which was, please explain the procedure which you followed from the beginning of the project to the end of the project.
- I obtained the notebook which I would 6 7 use. I searched the Internet and identified 8 several entities in Omaha that were using the "Omaha" name. I made of list of those, making 9 10 note of their hours of operation, their 11 addresses, contact information. I then made a 12 schedule of when I would visit the entities, 13 making contact with them, making appointments 14 when necessary, reservations, scheduling 15 deliveries. I then went to each of the entities. 16 I took photographs of anything that showed the 17 "Omaha" name. I gathered materials, such as 18 menus, other items that had the "Omaha" name. 19 After I was done visiting them, I went and 20 entered my notes into my notebook. And after I'd 21 visited all of the places, I then sent those items to Mr. Samuels. 22
 - Q. Ms. Peetz, did you personally make each of these visits or transactions on the dates indicated in Exhibit GOP-101?

Α. Yes, I did.

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- Did you personally gather all of the 2 Q. materials described in Exhibit GOP-101? 3
 - Α. Yes, I did.
 - Did you personally take all of the photographs described in Exhibit GOP-101?
 - Yes, I did. Α.
 - Are your visit and transaction reports which you hand wrote in Exhibit GOP-101 absolutely truthful in every way?
 - Α. Yes, they are.
 - Did you personally sign and date all of the photographs and other materials which are included in the nine exhibits, Exhibits GOP-102 through GOP-110, which we will be discussing shortly?
 - Α. Yes, I did.
 - MS. KANE: I'll object since I haven't seen them yet. I don't know how she can testify to them.
 - Ms. Peetz, we will now discuss the nine visits and transactions which are described in Exhibit GOP-101. Please turn to the first written page which bears Bates number GOP-0542.

What is the name and address of the first 25

business entity which you visited which is listed at the top of that first page Bates numbered GOP-0542?

- A. This is Omaha Tower Cafe, 2120 South 72nd Street, Number 125 124, Omaha, Nebraska.
- Q. On what date did you visit the Omaha Tower Cafe?
 - A. October 3rd, 2014.
- Q. For the record, please read how you described your visit in Exhibit GOP-101.
- A. It is a quaint cafe located in the lobby of a very large office building. On October 3rd, 2014, I went to the Omaha Tower Cafe and had lunch. I took photographs of the sign which also displayed the menu. The cashier gave me a business card. I paid my bill with my credit card and received a credit card receipt. I signed and dated all of these items.
- Q. Ms. Peetz, I now show you

 Exhibit GOP-102 which consists of eight pages

 bearing Bates numbers GOP-0551 through 0558. Are

 you familiar with Exhibit GOP-102?
 - A. Yes, I am.
- Q. What is Exhibit GOP-102?
 - A. These are photographs, a business

24

25

1 card, and credit card receipt which I obtained 2 and noted in my GOP-101 steno book. Do all of the materials contained in 3 Exhibit GOP-102 show that the business entity 4 that you visited was using the name "Omaha Tower 5 6 Cafe"? 7 Α. Yes, they do. 8 Q. Thank you. 9 MS. KANE: I will note that 10 page 55 -- or, I'm sorry, 552, 553, 554, 555, 556 11 are nearly illegible. Ms. Peetz, please turn now to the 12 13 second written page of Exhibit GOP-101 which bears Bates number GOP-0543. What is the name 14 15 and address of the second business entity which 16 you visited which is listed at the top of that 17 second page Bates numbered GOP-0543? 18 This is Omaha Oriental Food & Gifts, 10737 Mockingbird Drive, Omaha, Nebraska. 19 20 On what date did you visit Omaha Q. Oriental Food & Gifts? 21 22 October 3rd, 2014. Α.

For the record, please read how you

MS. KANE: Mr. Samuels, if you want

described your visit in Exhibit GOP-101.

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to shorten up the record, I'll stipulate that the
1
     document speaks for itself. You don't have to
2
     have the client read it again. Speaks for
3
     itself, and I believe that she wrote it.
5
                    MR. SAMUELS: Let's just stop for a
6
     split second.
7
                    (An off-the-record discussion was
8
     held, and the requested portion of the testimony
9
     was read back at page 15, line 23.)
10
                 A specialty store selling oriental
            Α.
     foods, grocery goods, and gifts. On October 3rd,
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12
     2014, I went to Omaha Oriental Food & Gifts and
13
     purchased a few miscellaneous food items. I took
14
     photographs of exterior and interior signage.
15
     The cashier gave me a business card. I paid for
16
     the items I purchased with my credit card and
17
     received a credit card receipt. I signed and
18
     dated all of these items.
19
                 Ms. Peetz, I now show you
20
     Exhibit GOP-103 which consists of 13 pages
21
     bearing Bates numbers GOP-0559 through 0571.
                                                     Are
     you familiar with Exhibit GOP-103?
22
23
                  Yes, I am.
            Α.
24
            Q.
                  What is Exhibit GOP-103?
25
            Α.
                  These are photographs, a business
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1
      card, and credit card receipt which I noted in my
      GOP-101 steno book.
 2
 3
                 Do all of the materials contained in
      Exhibit GOP-103 show that the business entity
 4
 5
      that you visited was using the name "Omaha
      Oriental Food & Gifts"?
 6
 7
            Α.
                 Yes, they do.
 8
            Q.
                  Thank you.
 9
                    MS. KANE: To the extent my
10
      continual objection did not contain an objection
      to relevance, I assert that to each and every
11
12
      one.
13
                    MR. SAMUELS: Thank you.
14
      BY MR. SAMUELS:
15
                  Ms. Peetz, please turn now to the
16
      third written page of Exhibit GOP-101 which bears
      Bates number GOP-0544. What is the name and
17
18
      address of the third business entity which you
      visited which is listed at the top of that third
19
20
      page Bates numbered GOP-0544?
21
                  This is Omaha Popcorn, 14935
22
      Industrial Road, Omaha, Nebraska.
23
                 On what date did you visit Omaha
24
      Popcorn?
25
            Α.
                  October 3rd, 2014.
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- Q. For the record, please read how you described your visit in Exhibit GOP-101.
- A. A store located in a strip mall selling various flavors of popcorn, drinks, and popcorn containers. On October 3rd, 2014, I went to Omaha Popcorn and purchased a few different flavors of popcorn in bags. I took photographs of exterior and interior signage. The cashier gave me a business card. I paid for the items I purchased with my credit card and received a receipt. I signed and dated all of these items.
- Q. I now show you Exhibit GOP-104 which consists of 14 pages bearing Bates numbers GOP-0572 through 0585. Are you familiar with Exhibit GOP-104?
 - A. Yes, I am.
 - Q. What is Exhibit GOP-104?
- A. These are photographs, a business card, and credit card receipt which I noted in my GOP-101 steno book.
 - Q. Do all of the materials contained in Exhibit GOP-104 show that the business entity that you visited was using the name "Omaha Popcorn"?
- A. Yes, they do.

Q. Thank you. 1 MR. SAMUELS: And, Ms. Kane, in 2 partial answer to your objection, the testimony 3 is what is called third party uses. 4 Please turn now to the fourth written 5 page of Exhibit GOP-101 which bears Bates number 6 7 GOP-0545. What is the name and address of the 8 fourth business entity which you visited which is listed at the top of that fourth page Bates 9 10 number GOP-0545? Omaha Tap House, 1403 Farnam Street, 11 Omaha, Nebraska. 12 13 0. On what date did you visit Omaha Tap House? 14 15 On October 13th, 2014. Α. MR. SAMUELS: Off the record. 16 17 (An off-the-record discussion was 18 held.) 19 BY MR. SAMUELS: 20 For the record, please read how you described your visit in Exhibit GOP-101. 21 A casual restaurant located in 22 23 downtown Omaha with many tables and a bar area. 24 On October 13th, 2014, I went to Omaha Tap House 25 and had dinner. I took photographs of the

exterior and interior signage. I obtained the menu that I used to order my food and a flyer showing the available drink specials. I paid my bill with my credit card and received a credit card receipt. I signed and dated all of these items.

- Q. Ms. Peetz, I now show you

 Exhibit GOP-105 which consists of 12 pages

 bearing Bates numbers GOP-0586 through 0597. Are

 you familiar with Exhibit GOP-105?
 - A. Yes, I am.
 - Q. What is Exhibit GOP-105?
- A. These are photographs, a menu, and credit card receipt that I noted in my GOP-101 steno book.
 - Q. Do all of the materials contained in Exhibit GOP-105 show that the business entity that you visited was using the name "Omaha Tap House"?
 - A. Yes, they do.
- Q. Thank you. Please turn now to the fifth written page of Exhibit GOP-101 which bears Bates number GOP-0546. What is the name and address of the fifth business entity which you visited which is listed at the top of that fifth

page Bates number GOP-0546? 1 This is Omaha Wine Company, 701 North 2 114th Street, Omaha, Nebraska. 3 On what date did you visit Omaha Wine 4 Q. 5 Company? October 15th, 2014. 6 Α. 7 For the record, please read how you Q. 8 described your visit in Exhibit GOP-101. 9 A specialty store selling various 10 wines, alcoholic beverages, and wine accessories. On October 15th, 2014, I went to Omaha Wine 11 12 Company and purchased a bottle of wine and a 13 bottle of vodka. I took photographs of the 14 interior and exterior signage. The gentleman 15 working at the store gave me a business card and 16 a wine bag. I paid for my purchase with my credit card and received a credit card receipt. 17 I signed and dated all of these items. 18 19 Ms. Peetz, I now show you 20 Exhibit GOP-106 which consists of 11 pages 21 bearing Bates numbers GOP-0598 through 0608. Are 22 you familiar with Exhibit GOP-106? 23 Yes, I am. Α. 24 0. What is Exhibit GOP-106? 25 Α. These are photographs, a business

card, wine bag, and credit card receipt which I noted in my GOP-101 steno book.

- Q. Do all of the materials contained in Exhibit GOP-106 show that the business entity that you visited was using the name "Omaha Wine Company"?
 - A. Yes, they do.
- Q. Thank you. Please now turn to the sixth written page of Exhibit GOP-101 which bears Bates number GOP-0547. What is the name and address of the sixth business entity which you dealt with which is listed at the top of that sixth page Bates number GOP-0547?
- A. This is OmahaFastFoods.com, 6024

 North 109th Street, Omaha, Nebraska.
 - Q. On what date did you deal with OmahaFastFoods.com?
- 18 A. October 15th, 2014.
 - Q. For the record, please read how you described your transaction in Exhibit GOP-101.
 - A. A grocery delivery service for the Omaha metro area. On October 14th, 2014, I placed an order with OmahaFastFoods.com through their online ordering process. I scheduled delivery for October 15th, 2014. I received a

welcome e-mail and an order confirmation. 1 October 15th, 2014, my order was delivered. I 2 3 signed a receipt for my order and also received an e-mail showing confirmation of my payment with 5 my credit card. I received a business card from 6 the driver. I took photographs of the grocery 7 totes and the vehicle that was used to make the 8 delivery. I signed and dated all of these items. 9 Ms. Peetz, I now show you Exhibit GOP-107 which consists of 21 pages 10 bearing Bates numbers GOP-0609 through 0629. 11 12 you familiar with Exhibit GOP-107? 13 Α. Yes, I am. 14 0. What is Exhibit GOP-107? These are receipts, an order sheet, 15 16 and photographs that I noted in my GOP-101 steno 17 book. 18 Do all of the materials contained in 19 Exhibit GOP-107 show that the business entity 20 that you dealt with was using the name 21 "OmahaFastFoods.com"? 22 Α. Yes, they do. 23 Thank you. Ms. Peetz, please turn 24 now to the seventh written page of 25 Exhibit GOP-101 which bears Bates number

GOP-0548. What is the name and address of the seventh business entity which you visited which is listed at the top of that seventh page Bates numbered GOP-0548?

- A. This is Omaha Prime, 415 South 11th Street, Omaha, Nebraska.
- Q. On what date did you visit Omaha Prime?
 - A. October 16th, 2014.
- Q. For the record, please read how you described your visit in Exhibit GOP-101.
- A. Elegant steakhouse with many tables located in downtown Omaha. On October 16th, 2014, I had a steak dinner at Omaha Prime. I took photographs of the interior and exterior signage. I took photographs of the menu and the wine list. The hostess gave me a business card and mints with the restaurant's name on them. I paid my bill with my credit card and received a credit card receipt. I signed and dated all of these items.
- Q. I now show you Exhibit GOP-108 which consists of 19 pages bearing Bates numbers GOP-0630 through 0648. Are you familiar with Exhibit GOP-108?

A. Yes, I am.

- Q. What is Exhibit GOP-108?
- A. These are photographs, business card, and credit card receipts which I describe in my GOP-101 steno book.
- Q. Do all of the materials contained in Exhibit GOP-108 show that the business entity that you visited was using the name "Omaha Prime"?
 - A. Yes, they do.
- Q. Thank you. Please turn now to the eighth written page of Exhibit GOP-101 which bears Bates number GOP-0549. What is the name and address of the eighth business entity which you visited which is listed at the top of that eighth page Bates number GOP-0549?
- A. This is Omaha Picnic Pros, 2405 N Street, Omaha, Nebraska.
- Q. On what date did you visit Omaha Picnic Pros?
- A. On October 20th, 2014.
- Q. For the record, please read how you described your visit in Exhibit GOP-101.
- A. A catering service specializing in barbecuing and grilling located in southern

On October 20th, 2014, I went to Omaha 1 Picnic Pros for a consultation and a tour of the 2 facility. I spoke with the director of 3 operations. I obtained a business card and 4 5 photographed the uniform the servers wear. I photographed interior signage and the vehicle 6 7 used in the catering services. I signed and dated all of these items. 8

- Q. Ms. Peetz, I now show you

 Exhibit GOP-109 which consists of 11 pages

 bearing Bates numbers GOP-0649 through 0659. Are

 you familiar with Exhibit GOP-109?
 - A. Yes, I am.

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- O. What is Exhibit GOP-109?
- A. These are photographs and a business card which I describe in my GOP-101 steno book.
 - Q. Do all of the materials contained in Exhibit GOP-109 show that the business entity that you visited was using the name "Omaha Picnic Pros"?
- A. Yes, they do.
- Q. Thank you. Ms. Peetz, please turn now to the ninth written page of Exhibit GOP-101 which bears Bates number GOP-0550. What is the name and address of the ninth business entity

which you dealt with which is listed at the top of that ninth page Bates number GOP-0550?

- A. This is Omaha Culinary Tours, Omaha, Nebraska.
- Q. On what date did you deal with Omaha Culinary Tours?
 - A. On October 23rd, 2014.
- Q. For the record, please read how you described your transaction in Exhibit GOP-101.
- A. Bus tour featuring some of Omaha's most well-known steakhouses. On October 23rd, 2014, I went on the Omaha steakhouse bus tour which is one of the food tours offered by Omaha Culinary Tours. I booked the tour online and paid with my credit card. I printed the e-mails I received, then included my receipt, e-ticket, and instructions. I took photographs of the shuttle bus that took us on our tour. I received a name tag, a brochure, and a business card from our tour guide. I signed and dated all of these items.
- Q. Ms. Peetz, I now show you

 Exhibit GOP-110 which consists of 24 pages

 bearing Bates numbers GOP-0660 through 0683. Are

 you familiar with Exhibit GOP-110?

1	A. Yes, I am.
2	Q. What is Exhibit GOP-110?
3	A. This is my online registration,
4	photographs, business card, name tag, and flyer
5	which I noted in my GOP-101 steno book.
6	Q. Do all of the materials contained in
7	Exhibit GOP-110 show that the business entity
8	that you dealt with was using the name "Omaha
9	Culinary Tours"?
LO	A. Yes, they do.
L1	MR. SAMUELS: Although I know it is
L2	not necessary under the rules, I hereby offer
L 3	into evidence all of the marked exhibits which
L 4	the witness discussed today.
15	Ms. Peetz, I have no further questions.
16	Thank you.
L 7	MS. KANE: And my objections have
L 8	already been noted to the exhibits. I renew
L 9	them. And I'll just have a few questions, but I
20	want to talk to Nancy first.
21	(A short recess was taken.)
22	CROSS-EXAMINATION
23	BY MS. KANE:
24	Q. Welcome back, Ms. Peetz. I just have
25	a few questions beginning with when you were

contacted by Mr. Samuels. I think his question 1 asked, and you agreed, that it was in 2014. Your 2 first entry in GOP-101 in your steno book is 3 October 3rd, 2014. Would that be -- or how close 4 5 in time was that to when you were contacted by Mr. Samuels? 6 7 Α. If I recall, maybe within a month. don't really recall exactly. 8 Okay. And did Mr. Samuels contact 9 0. you directly or did he begin with contacting a 10 lawyer in your firm? 11 He had spoke with Chad and then he 12 13 also contacted me, I believe. Do you believe that he spoke with 14 0. 15 Chad first, perhaps maybe to get your name? I'm unaware of any conversations that 16 Α. 17 they had. 18 0. Okay. MS. MORRIS: Chad who? 19 Chad Swantz; is that correct? 20 0. 21 Α. Yes. 22 Q. And he's one of the attorneys for whom you work; correct? 23 24 Α. Yes. 25 What did Chad say to you about this Q.

```
project, if anything?
 1
 2
                    MR. SAMUELS: First of all, it calls
 3
      for a hearsay. I'll object to that question on
      the grounds of hearsay. Also object to the
 4
 5
      question on the grounds of relevance.
 6
            0.
                  You may answer subject to his
 7
      objection.
 8
            Α.
                  Okay. Can you repeat the question?
 9
                    MS. KANE: Dee Dee.
10
                    (The requested portion of the
11
      testimony was read back at page 29, line 25.)
12
                  I believe he said that I was to look
13
      at businesses that used "Omaha" in their name in
14
      relation to food businesses.
15
                    MR. SAMUELS: Can you keep your
16
      voice up so she can hear distinctly?
17
            Q.
                  And who, if anyone, paid you to
18
      conduct your investigation?
19
            Α.
                  I was paid my salary.
20
                  Do you know whether your law firm had
      a fee agreement with Mr. Samuels or with Greater
21
22
      Omaha Packing?
23
            Α.
                  I'm unaware of what fee agreements
24
     they have.
25
            0.
                 Do you know whether your time was
```

billed to either Mr. Samuels or to Greater Omaha 1 2 Packing? 3 I believe my paralegal time is 4 I'm not sure how they do it. 5 All right. Do you know at what rate 6 you're billed? 7 I don't. Α. 8 Your expenses incurred in 9 attending -- not attending, visiting and making 10 purchases at Omaha Tower Cafe, Omaha Oriental Food & Gifts, Omaha Popcorn, Omaha Tap House, 11 12 Omaha Wine Company, Omaha Fast Foods, Omaha 13 Prime, and Omaha Culinary Tours, were you 14 reimbursed for those expenses? 15 Α. Yes.

Q. By whom?

16

17

18

19

20

21

22

23

24

- A. I was reimbursed by my firm.
- Q. Okay. And the items that you purchased from those same entities I just named, I realize that some of them you consumed a meal. At the others where you purchased items and took them home or had items delivered to your home, were you allowed to keep those?
 - A. The items that were delivered I just, yeah, kept.

And did you also keep, for instance, 1 0. 2 the items you purchased from Oriental Foods? 3 Α. Yes. 4 Omaha Popcorn? 5 Α. Yes. 6 Q. And when you went to Omaha Tap House, 7 Omaha Prime, and the Omaha Culinary Tours, were you alone for those meals or did someone attend 8 9 with you? 10 Α. Usually my husband and I went. 11 And the amount of his meals, those 12 appear on your credit card receipt as well? 13 Α. Yes. 14 And were you also reimbursed for 15 those? 16 Α. Yes. 17 So essentially both you and your 18 husband were paid to undertake at least a portion 19 of this investigation? 20 MR. SAMUELS: Objection. You said "paid to undertake." You were just talking about 21 22 reimbursement for what she ate or purchased. 23 Those are two different questions. 24 MS. KANE: So you object to the form 25 of the question?

```
1
                    MR. SAMUELS: Well, I certainly
     object to the form of the question, but --
2
                    MS. KANE: Well, then I'd like to
3
               So if you make your objection clear, it
4
     fix it.
     makes it easier for me.
5
                    MR. SAMUELS: Why don't you go ahead
6
7
     and rephrase it then.
     BY MS. KANE:
8
                  Omaha Tower Cafe, did you eat alone
9
10
      or with someone else?
                  With someone else.
11
            Α.
                  Who was that?
12
            Ο.
                  There I went with a friend.
13
            Α.
                 And did you pay for both meals?
14
            0.
15
                  Yes, I did.
            Α.
16
            Q.
                  And you were reimbursed for both?
17
                  Yes.
            Α.
18
                  And did your friend reimburse you or
      your law firm for his or her meal?
19
20
            Α.
                  I don't know. Not me. I don't know
      about the firm.
21
22
                  Did you attend or eat at Omaha Tap
23
      House with someone else?
24
            Α.
                  Yes.
25
            0.
                  Who was that?
```

My husband. 1 And you testified a few minutes ago 2 Q. that his meal would have been included in the 3 credit card receipt? 4 5 Α. Yes. Did your husband seek -- or did your 6 Ο. 7 husband reimburse you, your firm, or Mr. Samuels for his meal? 8 9 Α. I don't believe so. And the same question for Omaha 10 Prime: Was that dinner with your husband? 11 12 Α. Yes. And your credit card receipt shows 13 both your meal and his; correct? 14 15 Α. Yes. And do you know whether your husband 16 reimbursed your law firm, Mr. Samuels, or anyone 17 else for his meal? 18 I don't believe so. I don't know. 19 Any of the places that you visited --20 0. we'll go one by one. Omaha Tower Cafe: Did you 21 purchase a package of meat and -- or any other 22 23 food and prepare it yourself? MR. SAMUELS: Objection. Can you --24 25 I didn't understand your question at all. Can

you repeat it, please? 1 2 MS. KANE: Dee Dee. (The requested portion of the 3 testimony was read back at page 34, line 20.) 4 5 No, I did not. Α. 6 0. When you went to Omaha Oriental Food 7 & Gifts, you indicated in your October 3rd, 2014, 8 statement that you purchased a few miscellaneous food items. Do you recall what they were? 9 10 MR. SAMUELS: Why don't we pause and 11 let her look at what she noted on that visit. 12 MS. KANE: Well, she read it into 13 the record before. If you want her to read it 14 again. 15 MR. SAMUELS: I don't want her to 16 read it. I want her to look at it just so she 17 knows what you're talking about. BY MS. KANE: 18 19 On GOP-543, is it not true that you 20 wrote that you purchased a few miscellaneous food items from Omaha Oriental Food & Gifts? 21 22 Α. Yes. 23 Ο. Do you recall from memory what you 24 purchased? 25 I don't. Α.

```
If you look at --
            Q.
1
            Α.
                  I don't have --
2
3
            Q.
                  -- 103. 103, please. If you'll turn
4
     to the last page, please. Is this a copy of your
5
      sales receipt?
6
            Α.
                  Yes, it is.
7
                  From Omaha Oriental; correct?
8
            Α.
                  Yes.
9
                  And do you see where it describes the
      items that you purchased?
10
                  Yes.
11
            Α.
12
            Q.
                  Can you tell what they are?
13
                  The middle one is gum.
            Α.
14
            Q.
                  Is what?
15
            Α.
                  Is qum.
16
                  Okay. Do you recall what the jasmine
            Q.
17
      T-E, perhaps T-E-A?
18
                  I don't recall actually.
            Α.
19
                  Okay. And do you know what the third
20
      Pocky Tsubu is?
21
                  I don't recall that one either.
22
                  Is it correct that the total amount
23
      of the credit card -- or the sales receipt is
24
      $6.90?
25
            Α.
                  Yes.
```

And do you recall whether any of 1 these items constituted or comprised any sort of 2 beef or meat product that you took home and 3 prepared yourself? 4 5 I don't recall. Α. 6 Ο. Now we're looking at page GOP-544, 7 the Omaha Popcorn. 8 Α. Okay. 9 Is it correct that it states herein 10 that you purchased a few different flavors of 11 popcorn in bags? 12 Α. Yes. 13 Do you recall whether you purchased anything else from Omaha Popcorn that day? 14 15 Α. I believe it was popcorn. 16 If you had purchased anything but 0. 17 popcorn, would you have included that in your note? 18 19 Α. Yes. 2.0 Q. Okay. Turn to the next page, please, 21 Omaha Tap House. Was the dinner that was served 22 to you and your husband prepared by Omaha Tap 23 House or by you? 24 That was prepared by Omaha Tap House. 25 Okay. Omaha Wine Company, it's true, 0.

isn't it, that you put in here and you testified
earlier that you purchased a bottle of wine and a
bottle of vodka?

A. I did.

- Q. If you had purchased anything else, would you have included it in this note?
 - A. Yes.

5

6

7

8

9

10

11

12

13

14

15

18

22

- Q. Omaha Fast Foods. In your note you testified that you placed an order and also that you received a welcome e-mail and an order confirmation. I direct your attention to Exhibit 107. And turn -- it's the third page on the right-hand side. It bears the stamp GOP-0611.
- A. Okay.
- Q. Does this indicate the order that you placed with Omaha Fast Foods?
 - A. Yes.
- Q. As you review that list, do you see
 whether there are any items constituting or
 comprising beef or meat products?
 - A. I don't see any.
- Q. Okay. Next in GOP-101 in your steno book, your entry for October 16th, 2014, at Omaha Prime.

1 Α. Okav. You have that in front of you? 2 Yes. 3 Α. And in there and in your testimony, 4 0. 5 you stated you had a steak dinner at Omaha Prime. Did you prepare that steak or did the restaurant? 6 7 Α. The restaurant. 8 If you turn to the next page, Omaha 9 Picnic Pros. If I understand your testimony and your note in this entry in your steno, it doesn't 10 11 look like that you made any purchase from them; is that correct? 12 That is correct. 13 Α. Okay. And then on the Omaha Culinary 14 0. 15 Tours, did you take this tour with -- by yourself or with someone else? 16 17 With someone else. Α. With your husband? 18 Q. 19 Α. Yes. 20 And did you dine that evening? Ο. 21 Α. Yes. 22 Q. Where? 23 They take you to a few different Α. 24 restaurants. Cascio's, Piccolo's. 25 MR. SAMUELS: Say them slowly so she

```
can hear.
1
2
            Α.
                  Cascio's, Piccolo's, Gorat's, I
     believe.
3
                  Did you eat something at each of
4
5
     those restaurants?
            Α.
                  Yes.
6
7
                  Did those restaurants prepare the
      food or did you?
8
9
            Α.
                  The restaurant did.
                  You testified that you were -- that
10
      you are, I'm sorry, that you are a trademark
11
12
      paralegal?
13
            Α.
                  Yes.
                  And have you and your law firm done
14
      work for Greater Omaha Packing at any time in the
15
      past?
16
17
                   I believe they have in the past.
            Α.
18
            Q.
                  Have you ever personally?
19
            Α.
                  Yes.
                  Within the last year?
20
            Q.
21
            Α.
                  I have not within the last year.
22
                  Within the last five years?
            Ο.
23
            Α.
                  Yes.
24
                   Is that how long you testified you've
25
      been employed with Suiter Swantz?
```

Yes. 1 Α. 2 0. Five years? 3 Α. Yes. So during that time on approximately 4 5 how many occasions have you done trademark work for Greater Omaha Packing? 6 Probably only a few. 7 Α. What did you do when you did work 8 9 for -- trademark work for Greater Omaha Packing? MR. SAMUELS: Objection. Please 10 11 don't disclose anything that you did specifically on behalf of Greater Omaha Packing Company. 12 I'll ask this: Did you or any of the 13 0. attorneys in your office --14 15 MR. SAMUELS: Objection. Compound 16 question. 17 MS. KANE: I haven't finished it. 18 How could it be compound? BY MS. KANE: 19 20 Have you or any of the attorneys in 21 your office done any work for -- any trademark 22 work for Greater Omaha Packing that was filed 23 with the United States Patent and Trademark Office? 24 25 MR. SAMUELS: Objection. Compound

question. You asked if either she or any of the 1 attorneys, so it would be better if you asked 2 those questions one at a time. 3 Have you ever filed anything with the 5 patent and trademark office on behalf of Greater 6 Omaha Packing? 7 MR. SAMUELS: If you know what the 8 word "you filed." MS. KANE: Well, stop testifying, 9 10 okay? Your speaking objections are wearing me out. Just make an objection. Don't tell her how 11 12 to testify. 13 I don't recall if I personally filed 14 anything with the trademark office, I guess. I 15 would have to look. Are you aware whether the law office 16 of Suiter Swantz has caused to be filed or 17 18 submitted any items on behalf of Greater Omaha 19 Packing to the patent and trademark office? 20 Α. I guess I don't understand the 21 question, if we have caused to file anything. could you repeat the question, I guess? 22 23 (The requested portion of the 24 testimony was read back at page 42, line 16.) 25 I personally cannot recall if I've Α.

```
actually filed anything. I don't know if anyone
1
2
     else has. I don't have personal knowledge of
 3
     that.
               Okay. Are there any other paralegals
 4
            Q.
 5
     in the -- in your law firm?
 6
            Α.
                 Yes.
 7
                  Are they all trademark paralegals or
            Q.
 8
     are there patent paralegals?
                We kind of do both. I mostly do the
 9
            Α.
     trademarks and then....
10
                 Okay. Can you tell me your first day
11
12
     and -- month, day, and year of your employment
     with Suiter Swantz?
13
14
            Α.
                  I began work there on -- I don't know
     the exact day. It was August of 2010.
15
16
                    MS. KANE: Okay. Thank you. I have
17
     nothing further.
18
                    THE WITNESS: Okay.
19
                   MR. SAMUELS: Deposition is closed.
20
     Thank you very much, Ms. Peetz.
21
                   (The deposition was concluded at the
22
     hour of 1:58 p.m.)
23
24
25
```

1	
1	J U R A T
2	
3	I, TERRI PEETZ, do hereby state under
4	oath that I have read the above and foregoing
5	deposition in its entirety and that the same is a
6	full, true, and correct transcription, with my
7	noted corrections, if any, of my testimony so given
8	at said time and place.
9	
10	(Deponent's signature)
11	(beponent 5 signature)
12	4/6/16 (Date)
13	STATE OF NEBRASKA)
14	county of Douglas)
15	(COUNTY OF 170041035)
16	Subscribed and sworn to before me on
17	this day of April , 2016.
18	
19	GENERAL NOTARY - State of Nebraska
20	PENNY L. BARTHOLOMEW My Comm. Exp. Sept. 29, 2016 PENNY L. BARTHOLOMEW Renny L. Bartholome L. Barth
21	GENERAL NOTARY PUBLIC
22	
23	
24	
25	

1 - CERTIFICATE -2 STATE OF NEBRASKA 3) ss. COUNTY OF DOUGLAS 4 5 I, Deanna L. Maley, RPR, CRR, and General Notary Public in and for the State of Nebraska, do 6 7 hereby certify that TERRI PEETZ was by me duly 8 sworn to testify the truth, the whole truth and 9 nothing but the truth, and that the deposition by 10 her as above set forth was reduced to writing by 11 me. That the within and foregoing deposition 12 was taken by me at the time and place herein 13 14 specified and in accordance with the within 15 stipulations, the reading and signing of the 16 witness to her deposition having not been waived. That I am not counsel, attorney, or 17 18 relative of either party or otherwise interested in 19 the event of this suit. 20 IN TESTIMONY WHEREOF, I have placed my 21 hand and notarial seal this 29th day of March, 22 2016. 23 24 GENERAL NOTARY PUBLIC 25 COST:

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No visit to Omaha is complete without a nice juicy steak!

There is a reason we are known for our beef...it is simply the best! Locals and visitors alike know that if you want a great steak, just come to Omaha.

Cooked to perfection, seasoned just right, and dripping with flavor, there's nothing quite like a succulent steak right off the heat. There are plenty of great places to order a delicious steak in Omaha, but if you want to learn about our culinary story, than you need to visit one of our classic steakhouses.

- · Some of Omaha's oldest and most beloved restaurants are steakhouses, and each contributes an important piece to Omaha's reputation and history.
- · Many restaurants hand cut or age their steaks in-house, or have developed their own delectable seasonings and mariades.
- · All feature the hospitality and charm that has had customers returning for years.
- · Steeped in history, Omaha's locally-owned classic steakhouses have been serving up rich, delicious steaks for generations.

Now, how to choose from Omaha's many wonderful classic steakhouses? We've put this tour together to help you answer that carnivorous conundrum.

Join us as we escort you to some of our most well-known classic Omaha steakhouses and get to know what makes each one of them special. Come hear the history behind our cow town roots and see for yourself why Omaha is known the world over for her steak. Who delivers the best steak? Well, we'll let you decide!

Parking will be readily available at the meeting spot, and the bus will return to the starting location at the end of the tour. The tour itinerary changes, as there are too many wonderful places to try to adhere to a single route.

Tastes of the city's best steaks, guided fun, and round trip transportation are included in the

Get ready to Savor the City with our Classic Omaha Steakhouse Bus Tour! Truly a meat lovers paradise!

What Is Not Included?

Gratuities for your tour guide, although not required, are always appreciated.

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Omaha (Omaha, NE)

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Taste your way through Omaha on our 3 hour culinary bus tour. Come savor the city with us! Every tour is a unique experience!

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Greater Omaha Packing Co., Inc.

Opposition No. 9121352[°]

Omaha Steaks International, Inc.

GOP-0661

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Jerry 10/3/2014



Terri Peetz <lynnie221@gmail.com>

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To: lynnie221@gmail.com

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YOUR ORDER INFORMATION

The details for each activity purchased in this order are as follows:

CLASSIC OMAHA STEAKHOUSE BUS TOUR

Provided By: OmahaCulTour (Omaha Culinary Tours)

Jarri L. Docks

Contact Email: foodie@omahaculinarytours.com

Contact Phone: 402-651-0047 Ticket Code: RQZQDB-851 Activity Date: Thu, Oct 23, 2014 Start Time: 6:00pm [CDT] Duration: Approximately 3 Hours

Attendee Name: Terri Peetz
Ticket QR Code: http://www.zerve.com/ota/view_qr.php?code=RQZQDB-851

Tickets: 2 total tickets - type listed below 2 Standard (Ages 3 and up)

Important: Please arrive 15 minutes early as tours do leave promptly. We recommend bringing along a bottle of water and a camera. If you are lost or running late, please call us at 402-881-0536.

Where To Meet: The Classic Omaha Steakhouse Bus Tour will meet at Cascio's Steakhouse located at 1620 S 10th Street, Omaha NE 68108. The tour guide will be waiting inside wearing a Omaha Culinary Tours shirt. Parking is available in the parking lot across the street from the restaurant.

Activity Policies:

- * NON-REFUNDABLE, CANNOT BE RESCHEDULED: Once purchased, tickets cannot be refunded and cannot be rescheduled because your space is being guaranteed at the event.
- * ACTIVITY TAKES PLACE RAIN OR SHINE: The activity runs regardless of weather conditions. In the rare situation where the seller is forced to cancel the event, ticket-holders will be allowed to reschedule to another time (subject to availability).
- * HOLD HARMLESS: Customers agree to forever hold harmless and indemnify Omaha Culinary Tours, LLC, from any and all liability for any injury or damages for participation in any activity. Additionally, any personal effects or baggage are the sole responsibility of the participant.

THE TOTAL CHARGE TO YOUR CREDIT CARD FOR THIS ORDER IS:

Ticket Charges: \$130.00 Ticket Fees: \$4.00

Total Charges: \$134.00

Charged To: American Express (ending in 1089)

Order Number: C4W9G

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Classic Omaha Steakhouse Bus Tour

Operated by Omaha Culinary Tours (OmahaCulTour)
Thursday, October 23, 2014 at 6:00 pm

The tips & guidelines below are provided by OmahaCulTour, the seller of this activity.

THIS IS NOT YOUR E-TICKET AND WILL NOT BE ACCEPTED AS PROOF OF PURCHASE. PLEASE PRINT YOUR E-TICKET SEPARATELY AND BRING IT TO THE ACTIVITY.

What to Wear

All tours will be conducted rain or shine, so it is best to wear weather-appropriate clothing.

What to Bring/What Not to Bring

Make sure you bring a camera and your appetite for new experiences!

Please leave your pets (except service dogs) at home.

Other Tips & Guidelines

Be sure to meet your guide 15 minutes early as we depart right on time!

Important: Any directions or maps provided by OmahaCulTour are only a rough guide. You are responsible for arriving at the activity's meeting location on time, so make sure to check with a second source that can provide specific directions from your starting point.

Detailed Directions

The Classic Omaha Steakhouse Bus Tour will meet at Cascio's Steakhouse located at 1620 S 10th Street, Omaha NE 68108. The tour guide will be waiting inside wearing a Omaha Culinary Tours shirt.

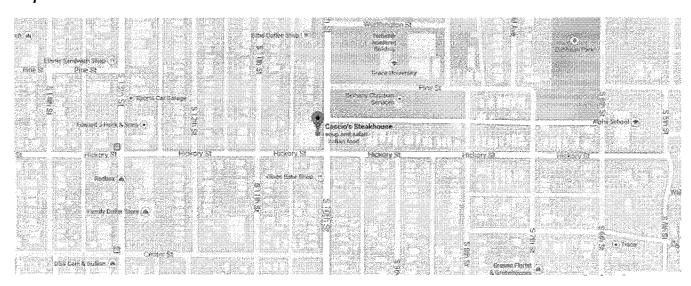
Parking

Parking is available in the parking lot across the street from the restaurant.

Directions

- Take I-80 East to S 13th Street. Take exit 454.
- · Turn right onto Martha Street
- Turn left onto 10th Street
- · Cascio's will be on the left

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Seller:

OmahaCulTour

Start Time:

Thursday, October 23, 2014 at 6:00 pm

of Tickets:

2 - Standard (Ages 3 and up)

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www.zerve.com/OmahaCulTour/Slice

First Bites: Omaha Restaurant Week Preview Tour



On this food tour, you'll travel across Omaha and experience the food that will be offered for Omaha Restaurant Week before the event!

www.zerve.com/OmahaCulTour/1stBites

Midtown Walking Food Tour



Get your taste buds hooked on this awesome culinary adventure through Omaha. Learn some history while you enjoy incredible tastings.

Juvi J. Pauli 10/3/2014

www.zerve.com/OmahaCuiTour/Midtown

Old Market District Walking Food Tour



We'll take you on a culinary adventure that mixes architectural elements of Omaha's history with some mouth-watering dishes!

www.zerve.com/OmahaCulTour/OMarket

Omaha Chocolate and Pastries Bus Tour



Join our most decadent tour yet & be introduced to some of Omaha's most delicious and local pastry shops, bakeries and chocolatiers!

www.zerve.com/OmahaCulTour/Pastry

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Classic Omaha Steakhouse Bus Tour

Operated by Omaha Culinary Tours (OmahaCulTour)

This is your e-ticket. You will need to present this to the seller in order to participate in the activity.

Date: Thursday, October 23, 2014

Start Time: 6:00 PM [CDT]

of Tickets: 2 - Standard (Ages 3 and up)

Attendee Name: Terri Peetz

Duration: 3 Hours

Ticket Code: RQZQDB-851

Total Charges: \$134.00

Scan Check In

Code:





Thank you for purchasing tickets with Zerve!

People who have taken this activity have also enjoyed the following activities.

Learn more, read buyer reviews & buy tickets at the indicated Web pages. To order via phone, call Zerve at (800) 979-3370 or (212) 209-3370.

From this same seller:

A Bite of Omaha Bus Tour

Taste your way through Omaha on our 3 hour culinary bus tour. Come savor the city with us!

Every tour is a unique experience!

www.zerve.com/OmahaCulTour/10

A Slice Of Omaha Pizza Tour

Join Omaha Culinary Tours to explore the best locally-owned pizza places in Omaha on this bus tour including 5-7 delicious tastings!

www.zerve.com/OmahaCulTour/13

Important Notice: Please arrive 15 minutes early as tours do leave promptly.. We recommend bringing along a bottle of water and a camera. If you are lost or running late, please call us at 402-881-0536.

Meeting Location: The Classic Omaha Steakhouse Bus Tour will meet at Cascio's Steakhouse located at 1620 S 10th Street, Omaha NE 68108. The tour guide will be waiting inside wearing a Omaha Culinary Tours shirt. Parking is available in the parking lot across the street from the restaurant.

For questions regarding this activity, contact OmahaCulTour:

Seller Email: foodie@omahaculinarytours.com

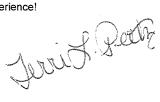
Seller Phone: 402-651-0047

Activity Policies:

- Non-refundable, cannot be rescheduled: Once purchased, tickets cannot be refunded and cannot be rescheduled because
 your space is being guaranteed at the event.
- Activity takes place rain or shine: The activity runs regardless of weather conditions. In the rare situation where the seller is forced to cancel the event, ticket-holders will be allowed to reschedule to another time (subject to availability).
- Hold Harmless: Customers agree to forever hold harmless and indemnify Omaha Culinary Tours, LLC, from any and all liability
 for any injury or damages for participation in any activity. Additionally, any personal effects or baggage are the sole responsibility of
 the participant.

IMPORTANT - Please read:

- Your ticket code will be required to attend the activity: This is your proof of purchase, and you cannot attend the activity
 without it.
- Please arrive early: Activities generally start right on time. You will not be entitled to a refund or rescheduling if you are late and
 miss the activity.
- Your tickets were purchased through Zerve, Inc: 'Zerve, Inc' is what will appear on your credit card statement for this
 charge. All purchases are subject to Zerve's <u>Terms of Use</u> and fall under Zerve's <u>Privacy Policy</u>. If you have any questions
 regarding these terms or your purchase, contact Zerve immediately at <u>service@zerve.com</u> or (800) 979-3370 or (212) 209-3370.
- Your tickets are guaranteed: You do not need to contact the seller to confirm your tickets. They will be expecting you at the start time.
- Please review this activity after attending: It's quick and easy and helps future buyers learn from your experience!
- Enjoy your activity!





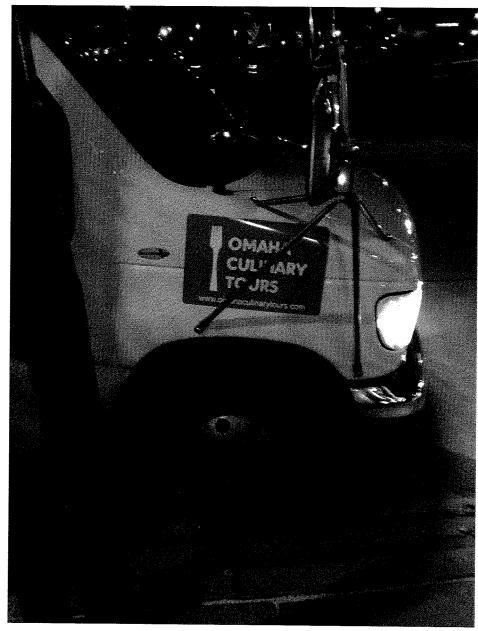
Jerri J. Perty 10/23/14



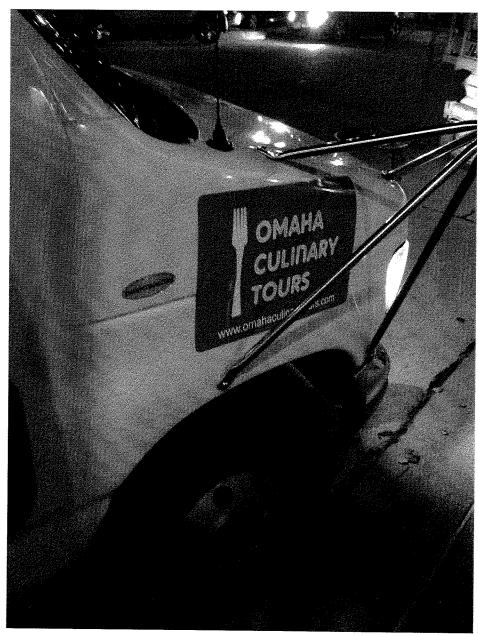
Juri L. Porty



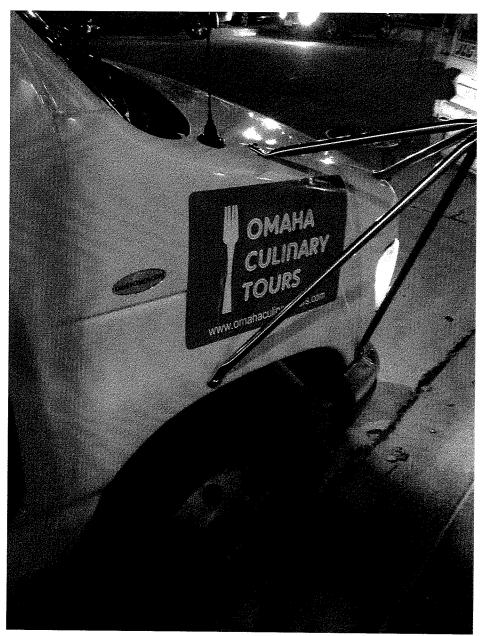
Jevi J. Reetz 10/23/14



Jevi L. Roets 10/23/14



Jurid Porty 10/23/14



Juri J. Perly 10/23/14





• @omahafoodtours
• OmahaCulinaryTours
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OMAHA CULINARY TOURS www.omahaculinarytours.com foodie@omahaculinarytours.com 402.651.0047

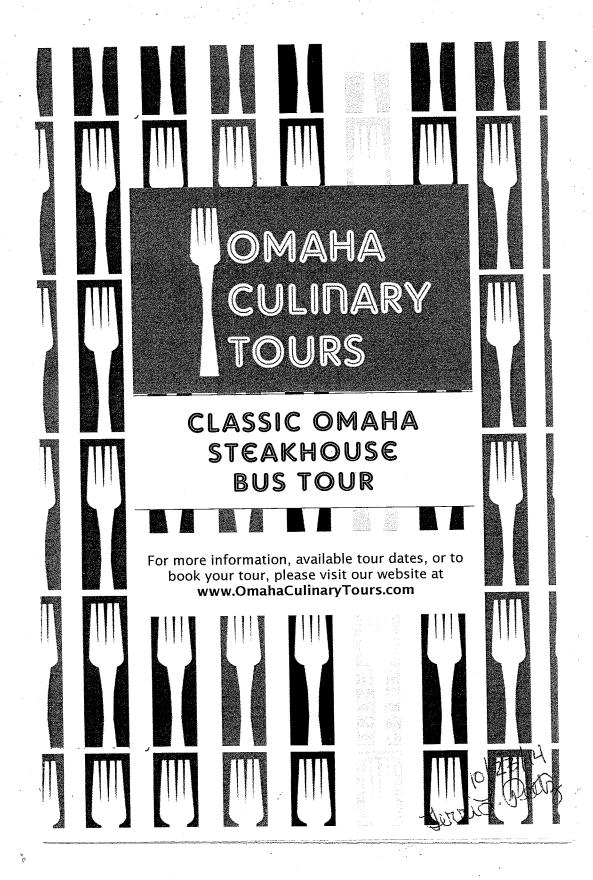


My name is

Terri

and I'm having a grEAT time! www.omahaculinarytours.com

GOP-0675



CLASSIC OMAHA STEAKHOUSE BUS TOUR

Cascio's Steakhouse

1620 South 10th Street; Omaha NE 68108 www.casciossteakhouse.com

Johnny's Cafe

4702 S 27th St.; Omaha NE 68107 www.johnnyscafe.com

Piccolo Pete's Restaurant

2202 S 20th St.; Omaha NE 68108 www.piccolopetesrestaurant.com

Gorat's

4917 Center St.; Omaha NE 68106 www.goratsomaha.com

Gina Sterns Pastries

Contact via website www.ginasternspastries.com Also available at the Pizza Pie Guys located at 5138 N 156th St.; Omaha NE 68116

If you had a great time, our guides do accept gratuities.

Omaha Culinary Tours is proud to partner with the Douglas County Historical Society. www.omahahistory.org



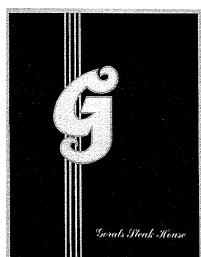
A BITE OF HISTORY

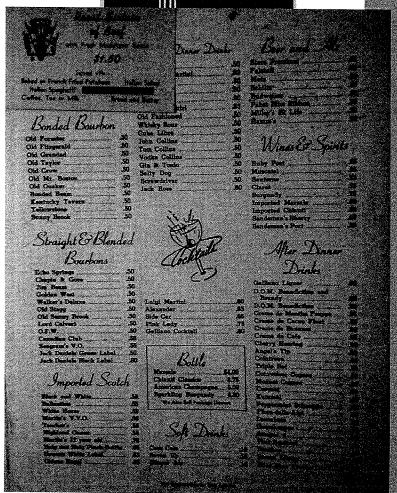


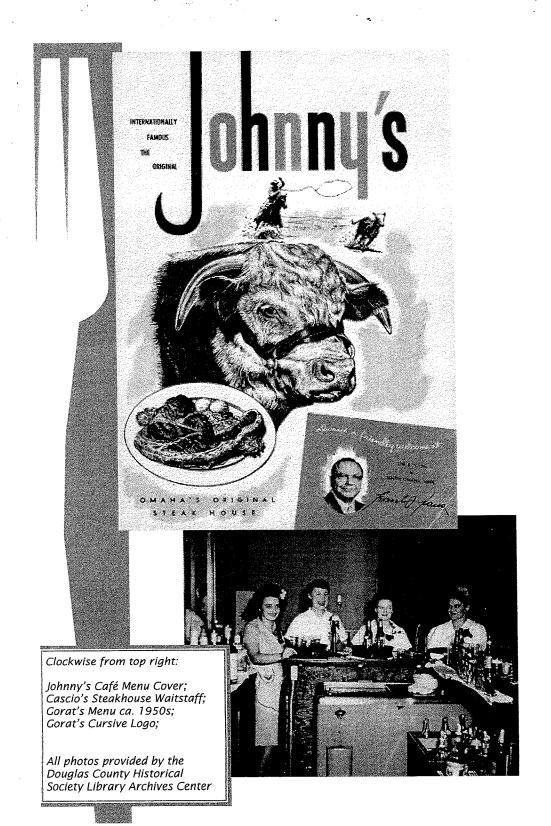
Above:

Piccolo Pete's Restaurant Menu

All photos provided by the Douglas County Historical Society Library Archives Center









For more information, or to book your tour, visit our website at www.OmahaCulinaryTours.com

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C @OmahaFoodTours

OmahaCulinaryTours

SALESMAN Special Large 20oz. Cocktail:

Toss Salad: Club Steak: French Fries Cheese Bread

4.95

Left: Salesman Special

Below: Old Market area

All photos provided by the Douglas County Historical Society Library Archives Center



ABOUT OMAHA CULINARY TOURS

We have a passion for food and are proud of our city. We believe the best way to get to know a city is through her food- one bite at a time. Our signature food tasting tours showcase Omaha's one-of-a-kind specialty food shops, hidden culinary gems, and iconic local restaurants.

Even if you have lived in Omaha for your entire life, there is much to discover. The city is home to many great restaurants and specialty food shops.

We love our town; join us as we **SAVOR THE CITY!**

Try one or all of our walking tours and explore the city on foot, or ride in comfort on one of our shuttled tours. Cooking classes will also be offered.

Walking Food Tours

- Midtown
- Old Market
- Orpheum Theater District

Jump on the bus!

- Chocolate and Pastries Tour
- A Bite of Omaha Tour.
- Pizza Tour
- Seasonal Events

HUNGRY FOR MORE?

Book tickets at www.omahaculinarytours.com Or by calling (800) 979-3370

GIFT CERTIFICATES AVAILABLE!

Gift certificates can be purchased on our website at **www.omahaculinarytours.com**Certificates never expire and can be used toward a reservation on any of our tours.

Advanced reservations required. To redeem gift certificates, please call 402-651-0047

PRIVATE TOURS

Looking for a unique experience for your employees or clients? What about an unexpected way to treat birthday guests or the bride-to-be?

Choose a private group tour of one of our culinary adventures, or call us to create a one-of-a-kind experience!

Call us at 402-651-0047 for more information.



www.omahaculinarytours.com foodie@omahaculinarytours.com 402-651-0047